

Exhibit B

From: Simpson, Lisa T. <lsimpson@orrick.com>
Sent: Tuesday, November 24, 2015 9:14 PM
To: Matthias Kamber; Beth Egan; DALVIK-KVN
Cc: Oracle/Google-OHS Only
Subject: RE: Deposition Scheduling

Dear Matthias –

I am following up on various open issues with respect to the upcoming depositions.

Rick Cattell: As Google has proposed, we will plan to depose Mr. Cattell during the expert discovery period in connection with his anticipated expert report. As you have indicated, we expect that we will be able to question Mr. Cattell as to his factual knowledge at that time, and if Google decides not to disclose Mr. Cattell as an expert, we understand that Google will make Mr. Cattell available for deposition as a fact witness at that time.

With respect to Chung, Dhar, Rutledge and Meier, given Google's indication that they do not intend to call Dhar and Chung as trial witnesses, we agree to forego their depositions at this time. This is contingent though on Google's offer that if Google's plans for trial change and Google expects to call either Dhar or Chung (or another witness on this topic) as trial witnesses, Google will offer them for deposition at that time, and will do so sufficiently in advance of trial. Similarly, if, upon receiving Google's documents production, it is clear that either Dhar or Chung should be deposed, we agree schedule those depositions at that time. Unfortunately, we cannot depose Rutledge on the proposed December 4 date – can you please provide an alternative date for this deposition.

Mike Ringhofer: Yes, you are correct. Mr. Ringhofer will be provided for deposition at Orrick's NY offices.

Henrik Stahl: We are not prepared at this time to say that we do not intend to call Mr. Stahl as a witness at trial. Please let us know if you would like to proceed in Stockholm or find a date in January – Mr. Stahl remains fairly flexible in January at this time. We need to know **ASAP** whether the Stockholm dates will go forward.

Messrs. Sarboraria and Simion: As we have discussed, these two witnesses were included entirely as rebuttal witnesses given Google's improper mention at the prior trial of the FRE 408 meeting that was held between the parties before the litigation commenced. Given that these two witnesses are rebuttal witnesses, Oracle will be amending its initial disclosures to remove these witnesses. And if Google persists in planning to introduce evidence of that meeting, despite FRE 408, Oracle will seek to preclude mention of that meeting from the trial. Please advise whether Google plans to introduce evidence of this meeting at trial or not so that Oracle can decide if it needs to seek relief from the Court on this issue at this time.

We are still awaiting deposition dates for Sundar Pichai, Henrique DeCastro, Jon Gold and several of Oracle's 30(b)(6) topics, including Topics 1, ½ of 3, and 4-6, which deal largely with financials and licensing – two important topics. Please provides dates for these witnesses and topics immediately. As we have already indicated our need for these dates repeatedly, we would like to set a final meet and confer date for this issue on Monday of next week – we are happy to speak at whatever time is convenient for you – but we will need dates by the time of that call or an indication from you that you do not intend to provide dates – so that we can take the issue up to the Court immediately given the looming discovery deadline.

Topic 8: We have reviewed Topic 8 and think it is pretty clear – we are looking for a witness with knowledge on enforcement of intellectual property rights against Android, to the extent within Google's knowledge – and this would include enforcement directed at mobile carriers, OEMs or other members of the Open Hand Set Alliance that Google is aware of. As it is a 30b6 topic, we understand that no one witness may possess all the necessary knowledge, but it is Google's obligation to prepare a witness on this topic if that is the case.

IBM Subpoena – Can you please advise ASAP whether a deposition of IBM will go forward on December 1 as noticed.

Lisa

From: Matthias Kamber [<mailto:MKamber@kvn.com>]
Sent: Friday, November 20, 2015 4:28 PM
To: Simpson, Lisa T.; Beth Egan; DALVIK-KVN
Cc: Oracle/Google-OHS Only
Subject: RE: Deposition Scheduling

Dear Lisa,

To follow up on the below, we agree to proceed on the dates and at the locations provided below (with the current exception of Mr. Stahl). With respect to Mr. Ringhofer's deposition, we presume you mean Orrick's New York City office, but please clarify if that is not correct.

As to Mr. Stahl, we are still determining whether we could proceed on Dec. 11th in Stockholm, or can instead wait until January (with the Court's permission). But if Oracle has decided that it does not intend to call Mr. Stahl at trial, please let us know—it might allow Google to dispense with his deposition. (For that matter, please let us know if there are any other newly disclosed Oracle witnesses that Oracle does not intend to call at trial.)

Along similar lines, as we discussed on Wednesday, Google may be able to narrow its field of potential deponents. Specifically, while Google initially disclosed four new witnesses on issues related to developer relations, at this time we would only intend to call Billy Rutledge and/or Reto Meier at trial. Billy Rutledge is available for deposition in Palo Alto on December 4th; we are still trying to arrange for a date for Mr. Meier (he has been on vacation this week). Please let us know if Oracle would therefore be willing to dispense with the depositions of Fred Chung and Mitali Dhar (and, if for any reason Google has to rely on another witness at trial—including either Chung or Dhar—we would make them available for a pre-trial deposition).

In addition, please let us know if you can provide any more clarity on Topic 8 and the particular type of knowledge Oracle may be seeking; we are having difficult identifying the appropriate witness based on the topic as written. As before, I'm happy to discuss this on the phone to the extent it might help.

Finally, please do provide a date (or dates) for Messrs. Sarboraria and Simion. As I noted before, we anticipate these being shorter depositions that could potentially be scheduled back-to-back for the same day.

Regards,

Matthias

From: Simpson, Lisa T. [<mailto:lsimpson@orrick.com>]
Sent: Tuesday, November 17, 2015 2:11 PM
To: Matthias Kamber; Beth Egan; DALVIK-KVN
Cc: Oracle/Google-OHS Only
Subject: RE: Deposition Scheduling

Matthias –

Thank you for the deposition dates for Mr. Lockheimer and Mr. Ghuloum as 30b6 witnesses. We will proceed on the dates proposed below, December 8 and December 9. We will also depose Mr. Ghuloum in his personal

capacity on that date. I should note that both for Mr. Ghuloum and Mr. Hoelzle we expect that Google will be producing documents related to those witnesses well in advance of their depositions dates (and the same for any other Google witnesses that we are scheduling). For Mr. Hoelzle, we are already entering the range where any such production will not be sufficiently in advance of the deposition for Oracle to have time to review the production. In the event we do not receive the relevant documents in time for review, we reserve our right to redepose the witnesses if necessary following document production.

Here are dates for several of Oracle's witnesses:

Dave Hofert – December 1 (in SF)
Mike Ringhofer – December 2 (in NY)
Mark Wayne – December 3 (in SF)
Terrence Barr – December 9 (in SF)
Georges Saab – December 16 (in SF)

Henrik Stahl – Mr. Stahl is not able to travel to the U.S. for the remainder of 2015 for personal reasons. He is available to be deposed in Stockholm, Sweden on December 11 and Oracle agrees to pay reasonable travel expenses for a Google attorney to attend and take this deposition. Alternatively, Oracle will agree to allow Mr. Stahl to be deposed in NY in January. Please let us know how you would like to proceed with Mr. Stahl.

As with your witnesses, many of these dates have very little flexibility. Please let us know as soon as possible if you intend to proceed on the dates above.

Thanks,
Lisa

From: Simpson, Lisa T.
Sent: Monday, November 16, 2015 9:04 PM
To: 'Matthias Kamber'; Beth Egan; DALVIK-KVN
Cc: Oracle/Google-OHS Only
Subject: RE: Deposition Scheduling

Thanks Matthias.

We can confirm the November 24 date for Mr. Holzle's deposition.

We will get back to you on the below dates and also expect to have dates for many of Oracle's witnesses to you shortly.
Lisa

From: Matthias Kamber [<mailto:MKamber@kvn.com>]
Sent: Monday, November 16, 2015 7:04 PM
To: Simpson, Lisa T.; Beth Egan; DALVIK-KVN
Cc: Oracle/Google-OHS Only
Subject: RE: Deposition Scheduling

Dear Lisa,

To follow up on the below, I have some additional dates and designations for you, subject to our forthcoming objections to Oracle's 30(b)(6) deposition notice.

- Fred Chung: 12/4/2015
- Hiroshi Lockheimer: 12/8/2015
 - Mr. Lockheimer will be Google's 30(b)(6) designee for Topics 2 and 7, as well as the first sub-part of Topic 3 ("the nature, purpose and operation of Google Play Services").
- Anwar Ghuloum: 12/9/2015
 - Mr. Ghuloum will be Google's 30(b)(6) designee for Topic 10.

Unfortunately, there is little flexibility in these dates both due to the tight discovery schedule and the senior roles these witnesses play at Google. We therefore ask that you confirm these dates as soon as possible (particularly since there are, at present, no conflicting depositions scheduled).

Please also confirm the below-provided date for Mr. Hölzle's deposition (11/24/2015), and provide dates for Oracle's witnesses.

Regards,

Matthias

From: Matthias Kamber
Sent: Friday, November 13, 2015 4:20 PM
To: Simpson, Lisa T.; Beth Egan; DALVIK-KVN
Cc: Oracle/Google-OHS Only
Subject: RE: Deposition Scheduling

Dear Lisa,

Following up on the below, Urs Hölzle is available for deposition on Nov. 24th. Please confirm whether that date works for Oracle as soon as possible.

Regards,

Matthias

From: Matthias Kamber
Sent: Friday, November 13, 2015 11:34 AM
To: Simpson, Lisa T.; Beth Egan; DALVIK-KVN
Cc: Oracle/Google-OHS Only
Subject: RE: Deposition Scheduling

Dear Lisa,

With respect to the 30(b)(6) dates, we will not be able to provide those today. Oracle served the deposition notice only last week, and it contains a multitude of topics for which Google anticipates having to present at least five different witnesses. We are working to get those dates as soon as possible.

As for the Oracle witnesses identified by Google, we appreciate you working on getting their availability. In the meet and confer on Tuesday, Annette Hurst made reference to 11 new witnesses that might be subject to deposition and for whom Oracle would provide deposition dates; please identify the 11 witnesses she was referring to, as we count only nine new Oracle witnesses identified in the supplemental disclosures.

On the issue of attorney depositions, I am hopeful we can work out an agreement, and would suggest a phone call to discuss. As it stands, your phrasing concerns us; Oracle seems to take the position that it can and will say the pre-filing meeting discussed the copyrights at issue here, but that Google should not be allowed to contend otherwise. For now, we suggest you identify deposition availability for these witnesses for the last week of fact discovery in the hopes that we can obviate the need for them in the interim.

As to the issue of deposition scope, Oracle newly disclosed Messrs. Sarboraria and Simion on issues relating specifically to pre-June 2011 discussions, thereby inviting their depositions on that particular issue. Indeed, our proposal on discovery scope has always contemplated that the parties could depose witnesses on pre-June 2011 topics to the extent those witnesses are (a) newly added and (b) their disclosure relates to knowledge of relevant facts prior to June 2011.

Finally, your email does not address my proposal to offer dates as the parties become aware of them, rather than all at once. Please let us know Oracle's position on that so the parties can proceed accordingly.

Regards,

Matthias

From: Simpson, Lisa T. [<mailto:lsimpson@orrick.com>]
Sent: Wednesday, November 11, 2015 10:32 PM
To: Matthias Kamber; Beth Egan; DALVIK-KVN
Cc: Oracle/Google-OHS Only
Subject: RE: Deposition Scheduling

Dear Matthias –

Thank you for getting dates for the witnesses we have identified. We would appreciate dates for our 30(b)(6) as soon as possible, and no later than Friday, as we would like to get that on the calendar before we start taking up available dates with the various fact witnesses.

We will work on getting dates for the witnesses you have listed. We decline your invitation to identify additional witnesses you may be "missing."

As we mentioned at the meet and confer, we do not intend to call the lawyers on our list (Sarboraria, Simion and Angioletti) unless Google persists in arguing that there were no discussions of copyright at the pre-lawsuit meeting between Oracle and Google. As we have indicated, we think such an argument is not only improper under Rule 408, it is incorrect. This topic is also well outside the date range that you have been advocating as it involved pre-2011 discussions. Has Google reconsidered its position, such that it is now taking the position that pre-2011 information is fair game for deposition inquiry? Please let us know if you continue to need deposition dates for Sarboraria and Simion as you indicate below.

With respect to topic 4 of Google's 30(b)(6) to Oracle, Edward Senteno will be the witness. We will follow up with a more formal designation.

Lisa

From: Matthias Kamber [<mailto:MKamber@kvn.com>]
Sent: Wednesday, November 11, 2015 3:05 PM
To: Beth Egan; Simpson, Lisa T.; DALVIK-KVN
Cc: Oracle/Google-OHS Only
Subject: RE: Deposition Scheduling

Dear Lisa,

Following up on your email below and what I understand was discussed at the Court yesterday morning, we are polling the Google employees you list below (including Henrique de Castro) for their availability and will get you dates as soon as possible. Furthermore, we are also working to line up dates and witnesses for Oracle's 30(b)(6) topics; however, that deposition will not be proceeding on the noticed date (this Friday, Nov. 13th).

With respect to the newly disclosed current/former Oracle employees, please provide us with deposition availability for the following:

1. Terrence Barr
2. David Hofert

3. Mike Ringhofer
4. Georges Saab
5. Matthew Sarboraria
6. George Simion
7. Henrik Stahl
8. Mark Wayne

A few practical points:

- Because Donald Smith is Oracle's designee on 30(b)(6) topics 1-3 set for Nov. 20th, we plan to also take his personal testimony at that time.
- Please identify Oracle's designee for topic no. 4 set for Nov. 18th so that we can plan accordingly.
- With respect to Oracle's disclosed witnesses regarding the pre-filing meeting with Google (Matthew Sarboraria, George Simion), we anticipate these being shorter depositions that could potentially be scheduled back-to-back for the same day.
- In light of the expanded disclosure for Alan Brenner and presuming Oracle intends to call him at the re-trial, please also provide his availability for a deposition.
- If you believe someone is missing from our list, please let us know. (I understand you referred to 11 new Oracle witnesses at yesterday's meet and confer; however, our review suggests it's just the people discussed above.)

Finally, we will not wait until we have dates from all witnesses before circling back with you, and intend to get you our witness availability serially (or at least in batches). We ask that you please do the same so that everyone can start filling in the calendar.

To the extent you would like to discuss further, please feel free to give me a call.

Regards,

Matthias

From: Beth Egan
Sent: Thursday, November 05, 2015 11:00 AM
To: 'Simpson, Lisa T.'; DALVIK-KVN
Cc: Oracle/Google-OHS Only
Subject: RE: Deposition Scheduling

Lisa and team,

In response to your email, we are happy to meet and confer with you generally about deposition scheduling. We are generally available on Tuesday after 10 a.m. Given that some of our respective teams will be at the Tuesday hearing, please coordinate with Matthias Kamber to agree upon a time. We are not willing, however, to wait to confer with regard to dates for Google's 30(b)(6) notice to Oracle. That notice was served weeks ago and we asked to confer with you regarding dates on 10/21. You informed us twice that you were working on and would provide dates for that deposition, and you said you would try to get us dates by last Friday. My request that you provide dates by yesterday was very reasonable in light of your representation that you were in fact already working on dates for the last 10 days. Oracle's refusal to provide dates will prevent Google from determining in the deposition what additional follow up discovery it may need, including, for example, which additional witnesses Google may seek to depose. Because of that, we ask that you provide dates in the first half of November. If you will not provide dates by our meet and confer this afternoon, we will seek assistance from the Court on this issue.

We are, of course, willing to confer with regard to the recent 30(b)(6) notice served by Oracle. We will respond with regard to the other issues you raise before our meet and confer.

Beth

From: Simpson, Lisa T. [<mailto:lsimpson@orrick.com>]
Sent: Wednesday, November 04, 2015 5:34 PM
To: Beth Egan; DALVIK-KVN
Cc: Oracle/Google-OHS Only
Subject: Deposition Scheduling

Beth and team –

We would like to set up a meet and confer specifically to discuss deposition scheduling. Rather than everyone simply firing off notices left and right for days that may or may not work for the witnesses and counsel, we think it would be productive for us all to get together with our calendars and the witnesses' schedules and try to work together to set an orderly schedule. This seems particularly necessary given the very short time period we are dealing with.

To that end, Google has identified 7 new witnesses in its Rule 26(a) disclosures – Fred Chung, Mitali Dhar, Anwar Ghuloum, Jon Gold, Urs Hoelzle, Billy Rutledge and Reto Meier. We would like to discuss deposition dates for each of these witnesses.

We would also like to discuss dates for a deposition of Henrique DeCastro – please let us know if Google will accept a deposition notice for DeCastro or if we will need to serve him with a subpoena.

Similarly, please let us know which Oracle fact witnesses you would like to schedule for deposition, and we will work to get dates for those in advance of our meeting as well.

We also envision discussing and setting dates for the parties' 30(b)(6) depositions.

We would like to get this meeting on the calendar for early next week. Can you please let us know your availability?

Thanks,
Lisa



LISA T. SIMPSON

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